

**117-1-1. Definitions.**

- (a) "Act" means the state certified and licensed real property appraisers act.
- (b) "Appraisal foundation" means the appraisal foundation established on November 30, 1987 as a not-for-profit corporation under the laws of Illinois.
- (c) "Appraiser" means a state licensed or certified appraiser.
- (d) "Board" means the real estate appraisal board.
- (e) "Classroom hour" means 50 minutes within a 60-minute segment. This definition reflects the traditional educational practice of having 50 minutes of instruction and 10 minutes of break time for each scheduled hour of instruction. The prescribed number of classroom hours shall include time devoted to examinations which are considered to be part of the course.
- (f) "Course" means any educational offering.
- (g) "General classification" means the certified general real property appraiser classification.
- (h) "Licensed classification" means the state licensed real property appraiser classification.
- (i) "National uniform standards of professional appraisal practice course" means the uniform standards of professional appraisal practice course developed by the appraisal foundation.
- (j) "Residential classification" means the certified residential real property appraiser classification.
- (k) "Provisional classification" means the state provisional licensed real property appraiser classification.
- (l) "Sponsor" means any of the following entities, which may request course approval from the board or offer a course approved by the board for credit toward any education requirement of the act:
  - (1) Colleges or universities;
  - (2) community or junior colleges;
  - (3) real estate appraisal or real estate-related organizations;
  - (4) state or federal agencies or commissions;
  - (5) proprietary schools; and
  - (6) other providers approved by the board. (Authorized by and implementing K.S.A. 58-4105; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended May 24, 1993; amended Aug. 15, 1994; amended May 3, 1996; amended May 23, 2003.)

**117-2-1. Licensed classification; education requirements.**

(a) In order to sit for the licensed classification examination, each applicant shall meet these requirements:

(1) Have received credit for 90 classroom hours in subjects related to real estate appraisal. Fifteen of the 90 hours shall include the completion of the national uniform standards of professional appraisal practice course, or its equivalent, and passing a written examination on the course, within the two-year period immediately preceding the date of application;

(2) have successfully completed an examination pertinent to each course for which credit is received;

(3) provide evidence, satisfactory to the board, of completion of courses approved by the board or provide evidence, satisfactory to the board, that the education covered all of the following topics with a particular emphasis on the appraisal of one- to four-unit residential properties:

(A) Influences on real estate values;

(B) legal considerations in appraisal;

(C) types of value;

(D) economic principles;

(E) real estate markets and analysis;

(F) valuation process;

(G) property description;

(H) highest and best use analysis;

(I) appraisal statistical concepts;

(J) site value;

(K) sales comparison approach;

(L) cost approach;

(M) income approach, including gross rent multiplier analysis, estimation of income and expenses, and operating expense ratios;

(N) valuation of partial interests; and

(O) appraisal standards and ethics; and

(4) provide evidence satisfactory to the board that all courses taken after July 1, 1997 were taught by a licensed or certified appraiser or an instructor holding a degree in education employed by the college or university. At the time the course was taken, it shall have been approved by the board.

(b) For courses other than the uniform standards of professional appraisal practice, the education may have been obtained at any time before submission of an application for license to the board.

(c) The length of each course shall have been at least 15 classroom hours.

(d) Correspondence courses may be approved to meet the classroom hour requirement if the course has received approval for college credit from the American council on education's program on non-collegiate sponsored instruction or if these conditions are met:

(1) The course is presented by an accredited college or university offering correspondence programs in other disciplines.

(2) The applicant successfully completes a written examination administered by an official approved by the college or university.

(3) The subject matter is appraisal-related, and the length is equivalent to a minimum of 15 classroom hours.

(e) Video and remote TV educational offerings may be approved to meet the classroom hour requirement if these conditions are met:

(1) The course is presented by an accredited college or university offering similar programs in other disciplines.

(2) The applicant successfully completes a written examination administered by an official approved by the college or university.

(3) The subject matter is appraisal-related, and the length is equivalent to a minimum of 15 classroom hours.

(f) An applicant who has completed two or more courses generally comparable in content, meaning topics covered, may receive credit only for the longest of the comparable courses completed.

(g) Credit toward the classroom hour requirement may be awarded to teachers of appraisal courses.

(h) Credit may be granted by the board if an applicant obtained credit from the course provider by challenge examination without attending the course, if these conditions are met:

(1) The credit was granted by the course provider before July 1, 1990.

(2) The board is satisfied with the quality of the challenge examination. (Authorized by and implementing K.S.A. 58-4109; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended May 24, 1993; amended Jan. 9, 1998; amended March 26, 1999; amended May 23, 2003.)

**117-2-2. Licensed classification; experience requirement.** (a) Each applicant for the licensed classification shall have the equivalent of two years of appraisal experience. One thousand hours shall constitute one year of appraisal experience. Any applicant may accumulate experience hours over more than one calendar year and may receive credit for more than 1,000 hours within any one calendar year.

(b) In order for the board to determine whether or not the experience requirements have been satisfied, each applicant shall submit a verified appraisal experience log sheet listing the appraisal reports completed by the applicant within the five-year period preceding the date of application. Each appraisal report shall be signed by the applicant or the preparer of the report who supervised the applicant. If the applicant does not sign the appraisal report, the preparer shall indicate whether or not the applicant provided significant professional assistance in the appraisal process.

(1) The log sheet shall include the following information:

(A) The date of each appraisal report;

(B) the category of appraisal conducted;

(C) the type of property involved and a description of the property involved; and

(D) the number of hours involved in completing the appraisal.

Additional file memoranda to support the claim for experience may be requested by the board.

(2) If an applicant has not maintained a record of the actual number of hours involved in completing an appraisal, the applicant may estimate the number of hours as follows:

(A) Residential appraisal. To estimate the number of hours for each residential appraisal, the following calculation shall be used:

(i) Multiply the number of approaches taken by two; and

(ii) to the figure computed in paragraph (b)(2)(A)(i), add one of the following numbers according to the type of appraisal report generated: six for self-contained, four for summary, or zero for restricted use.

(B) Commercial or agricultural appraisal. To estimate the number of hours for each commercial or agricultural appraisal, the following calculation shall be used:

(i) Multiply the number of approaches taken by eight; and

(ii) to the figure computed in paragraph (b)(2)(B)(i), add one of the following numbers according to the type of appraisal report generated: 16 for self-contained, eight for summary, or zero for restricted use.

(c) Upon request of the board, each applicant shall submit a minimum of three appraisal reports selected by the board from the applicant's log sheet and one appraisal report selected by the applicant from the log sheet. The selected appraisal reports shall be reviewed in accordance with standard rule 3 by the board or the board's designee for competency, within the scope of practice of the appraisal work authorized for the licensed classification, by using the criteria specified in K.S.A. 58-4109(d) and amendments thereto, and in particular, standards 1 and 2 of the edition of the uniform standards of professional appraisal practice (USPAP) in effect at the time the appraisal was performed. Approval of an applicant's experience hours shall be subject to board approval of the requisite number of experience hours and board approval of the selected appraisal reports.

(d) Acceptable appraisal experience shall include a minimum of 1,500 experience hours of real property appraisal experience.

(e) Acceptable appraisal experience may include an aggregate maximum of 25% of the total number of experience hours in the following appraisal categories:

- (1) Ad valorem tax appraisal;
- (2) review appraisal;
- (3) real estate consulting;
- (4) highest and best use analysis;
- (5) feasibility analysis study;
- (6) teaching of appraisal courses;
- (7) drive-by appraisals; and

(8) restricted appraisal reports. (Authorized by and implementing K.S.A. 58-4109; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended July 25, 1994; amended June 5, 1995; amended March 7, 1997; amended March 26, 1999; amended Oct. 8, 2004.)

**117-2-3. Licensed classification; examination requirement.**

Each applicant for the licensed classification must successfully complete the national uniform appraiser examination designated by the board for the licensed classification. (Authorized by and implementing K.S.A. 1990 Supp. 58-4109, as amended by 1991 SB 376, Sec. 9; effective, T-117-6-10-91, June 10, 1991; effective Aug. 5, 1991.)

**117-2-4. Licensed classification; scope of practice.**

(a) The licensed classification applies to the appraisal of non-complex one to four residential units having a transaction value less than \$1,000,000 and complex one to four residential units having a transaction value less than \$250,000.

(b) The licensed classification includes the appraisal of vacant or unimproved land that is utilized for one to four family purposes and where the highest and best use is for one to four family purposes. It does not include the appraisal of subdivisions wherein a development analysis or appraisal is necessary and utilized.

(c) The licensed classification may also apply to the appraisal of any other property permitted by the regulations of the applicable federal financial institutions regulatory agency, other agency or regulatory body.

(d) All licensed appraisers are bound by the competency provision of the uniform standards of professional appraisal practice. (Authorized by and implementing K.S.A. 1992 Supp. 58-4109; effective, T-117-6-10-91, June 10, 1991; effective Aug. 5, 1991; amended May 24, 1993.)

**117-3-1. General classification; education requirements.**

(a) In order to sit for the general classification examination, each applicant shall meet these requirements:

(1) Have received 180 classroom hours in subjects related to real estate appraisal. Fifteen of the 180 hours shall include the completion of the national uniform standards of professional appraisal practice course, or its equivalent, and passing a written examination of the course, within the two-year period immediately preceding the date of application;

(2) have successfully completed a board-approved income capitalization course of not less than 24 hours, within the two-year period immediately preceding the date of application;

(3) have successfully completed an examination pertinent to each course for which credit is received; and

(4) provide evidence, satisfactory to the board, of completion of courses approved by the board or provide evidence, satisfactory to the board, that the education covered all of the following topics with a particular emphasis on the appraisal of non-residential properties (residential is defined as one to four residential units):

(A) Influences on real estate values;

(B) legal considerations in appraisal;

(C) types of value;

(D) economic principles;

(E) real estate markets and analysis;

(F) valuation process;

(G) property description;

(H) highest and best use analysis;

(I) appraisal statistical concepts;

(J) site value;

(K) sales comparison approach;

(L) cost approach;

(M) income approach, including estimation of income and expenses, operating statement ratios, direct capitalization, cash flow estimates, measures of cash flow, and discounted cash flow analysis;

(N) valuation of partial interests;

(O) appraisal standards and ethics; and

(P) narrative report writing.

(b) The 180 classroom hours specified in paragraph (a)(1) may include the 90 classroom hours required for the licensed classification or the 120 classroom hours required for the residential classification.

(c) The length of each course shall have been at least 15 classroom hours.

(d) Correspondence courses may be approved to meet the classroom hour requirement if each course has received approval for college credit from the American council on education's program on non-collegiate sponsored instruction or if these requirements are met:

(1) The course is presented by an accredited college or university offering correspondence programs in other disciplines.

- (2) The applicant successfully completes a written examination administered by an official approved by the college or university.
- (3) The subject matter is appraisal-related, and the length is equivalent to a minimum of 15 classroom hours.
- (e) Video and remote TV educational offerings may be approved to meet the classroom hour requirement if these requirements are met:
  - (1) The course is presented by an accredited college or university offering similar programs in other disciplines.
  - (2) The applicant successfully completes a written examination administered by an official approved by the college or university.
  - (3) The subject matter is appraisal-related, and the length is equivalent to a minimum of 15 classroom hours.
- (f) Any applicant who has completed two or more courses generally comparable in content, meaning topics covered, may receive credit only for the longest of the comparable courses completed.
- (g) Credit toward the classroom hour requirement may be awarded to teachers of appraisal courses.
- (h) Credit may be granted by the board if an applicant obtained credit from the course provider by challenge examination without attending the course, if these conditions are met:
  - (1) The credit was granted before July 1, 1990.
  - (2) The board is satisfied with the quality of the challenge examination. (Authorized by and implementing K.S.A. 58-4109; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended May 24, 1993; amended Jan. 9, 1998; amended March 26, 1999; amended May 23, 2003.)

**117-3-2. General classification; experience requirement.** (a) Each applicant for the general classification shall have 3,000 hours of appraisal experience obtained continuously over a period of no fewer than 30 months.

(b) At least 1,500 hours of appraisal experience shall have been nonresidential appraisal work. For purposes of this regulation, "residential" shall be defined as one to four residential units.

(c) In order for the board to determine whether or not the experience requirements have been satisfied, each applicant shall submit a verified appraisal experience log sheet listing the appraisal reports completed by the applicant within the five-year period preceding the date of application. Each appraisal report shall be signed by the applicant or the preparer of the report who supervised the applicant. If the applicant does not sign the appraisal report, the preparer shall indicate whether or not the applicant provided significant professional assistance in the appraisal process.

(1) The log sheet shall include the following information:

(A) The date of each appraisal report;

(B) the category of appraisal conducted;

(C) the type of property involved and a description of the property; and

(D) the number of hours involved in completing the appraisal.

Additional file memoranda to support the claim for experience may be requested by the board.

(2) If an applicant has not maintained a record of the actual number of hours involved in completing an appraisal, the applicant may estimate the number of hours as follows:

(A) Residential appraisal. To estimate the number of hours for each residential appraisal, the following calculation shall be used:

(i) Multiply the number of approaches taken by two; and

(ii) to the figure computed in paragraph (c)(2)(A)(i), add one of the following numbers according to the type of appraisal report generated: six for self-contained, four for summary, or zero for restricted use.

(B) Commercial or agricultural appraisal. To estimate the number of hours for each commercial or agricultural appraisal, the following calculation shall be used:

(i) Multiply the number of approaches taken by eight; and

(ii) to the figure computed in paragraph (c)(2)(B)(i), add one of the following numbers according to the type of appraisal report generated: 16 for self-contained, eight for summary, or zero for restricted use.

(d) Upon request of the board, each applicant shall submit a minimum of three appraisal reports selected by the board from the applicant's log sheet and one appraisal report selected by the applicant from the log sheet. The selected appraisal reports shall be reviewed by the board or the board's designee, in accordance with standard rule 3, for competency within the scope of practice of the appraisal work authorized for the general classification, by using the criteria specified in K.S.A. 58-4109(d) and amendments thereto, and in particular, standard rules 1 and 2 of the edition of the uniform standards of professional appraisal practice (USPAP) in effect at the time the appraisal was performed. Approval of an applicant's experience hours shall be subject to board approval of the requisite number of experience hours and board approval of the selected appraisal reports.

(e) Acceptable appraisal experience shall include a minimum of 2,500 experience hours of real property appraisal experience.

(f) Acceptable appraisal experience may include an aggregate maximum of 25% of the total number of experience hours in the following appraisal categories:

- (1) Ad valorem tax appraisal;
- (2) review appraisal;
- (3) real estate consulting;
- (4) highest and best use analysis;
- (5) feasibility analysis study;
- (6) teaching of appraisal courses;
- (7) drive-by appraisals;
- (8) restricted appraisal reports; and
- (9) limited appraisal reports. (Authorized by and implementing K.S.A. 58-4109; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended July 25, 1994; amended June 5, 1995; amended March 7, 1997; amended Jan. 9, 1998; amended March 26, 1999; amended Oct. 8, 2004.)

**117-3-3. General classification; examination requirement.**

Each applicant for the general classification must successfully complete the national uniform appraiser examination designated by the board for the general classification. (Authorized by and implementing K.S.A. 1990 Supp. 58-4109, as amended by 1991 SB 376, Sec. 9; effective, T-117-6-10-91, June 10, 1991; effective Aug. 5, 1991.)

**117-3-4. General classification; scope of practice.**

(a) The general classification applies to the appraisal of all types of real property.

(b) All certified general appraisers are bound by the competency provision of the uniform standards of professional appraisal practice. (Authorized by and implementing K.S.A. 1990 Supp. 58-4109, as amended by 1991 SB 376, Sec. 9; effective, T-117-6-10-91, June 10, 1991; effective Aug. 5, 1991.)

**117-4-1. Residential classification; education requirements.**

(a) In order to sit for the residential classification examination, each applicant shall meet these requirements:

(1) Have received 120 classroom hours in subjects related to real estate appraisal. Fifteen of the 120 hours shall include the completion of the national uniform standards of professional appraisal practice course, or its equivalent, and passing a written examination on the course, within the two-year period immediately preceding the date of application;

(2) have successfully completed a board-approved, 15-classroom-hour course that covers report writing within the three-year period immediately preceding the date of application;

(3) have successfully completed an examination pertinent to each course for which credit is received; and

(4) provide evidence, satisfactory to the board, of completion of courses approved by the board or provide evidence, satisfactory to the board, that the education covered all of the following topics with a particular emphasis on the appraisal of one- to four-unit residential properties:

(A) Influences on real estate values;

(B) legal considerations in appraisal;

(C) types of value;

(D) economic principles;

(E) real estate markets and analysis;

(F) valuation process;

(G) property description;

(H) highest and best use analysis;

(I) appraisal statistical concepts;

(J) site value;

(K) sales comparison approach;

(L) cost approach;

(M) income approach, including gross rent multiplier analysis, estimation of income and expenses, operating expense ratios, and direct capitalization;

(N) valuation of partial interests;

(O) appraisal standards and ethics; and

(P) narrative report writing.

(b) The 120 classroom hours specified in paragraph (a)(1) may include the 90 classroom hours required for the licensed classification.

(c) The length of each course shall have been at least 15 classroom hours.

(d) Correspondence courses may be approved to meet the classroom hour requirement if the course has received approval for college credit from the American council on education's program on non-collegiate sponsored instruction or if these conditions are met:

(1) The course is presented by an accredited college or university offering correspondence programs in other disciplines.

(2) The applicant successfully completes a written examination administered by an official approved by the college or university.

(3) The subject matter is appraisal-related, and the length is equivalent to a minimum of 15 classroom hours.

(e) Video and remote TV educational offerings may be approved to meet the classroom hour requirement if these conditions are met:

(1) The course is presented by an accredited college or university offering similar programs in other disciplines.

(2) The applicant successfully completes a written examination administered by an official approved by the college or university.

(3) The subject matter is appraisal-related, and the length is equivalent to a minimum of 15 classroom hours.

(f) An applicant who has completed two or more courses comparable in content, meaning topics covered, may receive credit only for the longest of the comparable courses completed.

(g) Credit toward the classroom hour requirement may be awarded to teachers of appraisal courses.

(h) Credit may be granted by the board if an applicant obtained credit from the course provider by challenge examination without attending the course if these requirements are met:

(1) The credit was granted before July 1, 1990.

(2) The board is satisfied with the quality of the challenge examination. (Authorized by and implementing K.S.A. 58-4109; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended May 24, 1993; amended Jan. 1, 1994; amended Jan. 9, 1998; amended March 26, 1999; amended May 23, 2003.)

**117-4-2. Residential classification; experience requirement.** (a) Each applicant for the residential classification shall have 2,500 hours of appraisal experience obtained continuously over a period of no fewer than 24 months.

(b) In order for the board to determine whether or not the experience requirements have been satisfied, each applicant shall submit a verified appraisal experience log sheet listing the appraisal reports completed by the applicant within the five-year period preceding the date of application. Each appraisal report shall be signed by the applicant or the preparer of the report who supervised the applicant. If the applicant does not sign the appraisal report, the preparer shall indicate whether or not the applicant provided significant professional assistance in the appraisal process.

(1) The log sheet shall include the following information:

(A) The date of each appraisal report;

(B) the category of appraisal conducted;

(C) the type of property involved and a description of the property involved; and

(D) the number of hours involved in completing the appraisal.

Additional file memoranda to support the claim for experience may be requested by the board.

(2) If an applicant has not maintained a record of the actual number of hours involved in completing an appraisal, the applicant may estimate the number of hours as follows:

(A) Residential appraisal. To estimate the number of hours for each residential appraisal, the following calculation shall be used:

(i) Multiply the number of approaches taken by two; and

(ii) to the figure computed in paragraph (b)(2)(A)(i), add one of the following numbers according to the type of appraisal report generated: six for self-contained, four for summary, or zero for restricted use.

(B) Commercial or agricultural appraisal. To estimate the number of hours for each commercial or agricultural appraisal, the following calculation shall be used:

(i) Multiply the number of approaches taken by eight; and

(ii) to the figure computed in paragraph (b)(2)(B)(i), add one of the following numbers according to the type of appraisal report generated: 16 for self-contained, eight for summary, or zero for restricted use.

(c) Upon request of the board, each applicant shall submit a minimum of three appraisal reports selected by the board from the applicant's log sheet and one appraisal report selected by the applicant from the log sheet. The selected appraisal reports shall be reviewed by the board or the board's designee, in accordance with standard rule 3 for competency within the scope of practice of the appraisal work authorized for the residential classification, by using the criteria specified in K.S.A. 58-4109(d) and amendments thereto, and in particular, standard rules 1 and 2 of the edition of the uniform standards of professional appraisal practice (USPAP) in effect at the time the appraisal was performed. Approval of an applicant's experience hours shall be subject to board approval of the requisite number of experience hours and board approval of the selected appraisal reports.

(d) Acceptable appraisal experience shall include a minimum of 2,000 experience hours of real property appraisal experience.

(e) Acceptable appraisal experience may include an aggregate maximum of 25% of the total number of experience hours in the following appraisal categories:

- (1) Ad valorem tax appraisal;
- (2) review appraisal;
- (3) real estate consulting;
- (4) highest and best use analysis;
- (5) feasibility analysis study;
- (6) teaching of appraisal courses;
- (7) drive-by appraisals; and
- (8) restricted appraisal reports. (Authorized by and implementing K.S.A. 58-4109; effective, T-117-6-10-91, June 10, 1991; effective Aug. 5, 1991; amended July 25, 1994; amended June 5, 1995; amended March 7, 1997; amended Jan. 9, 1998; amended March 26, 1999; amended Oct. 8, 2004.)

**117-4-3. Residential classification; examination requirement.**

Each applicant for the residential classification must successfully complete the national uniform appraiser examination designated by the board for the residential classification. (Authorized by and implementing K.S.A. 1990 Supp. 58-4109, as amended by 1991 SB 376, Sec. 9; effective, T-117-6-10-91, June 10, 1991; effective Aug. 5, 1991.)

**117-4-4. Residential classification; scope of practice.**

(a) The residential classification applies to the appraisal of one to four residential units without regard to transaction value or complexity.

(b) The residential classification includes the appraisal of vacant or unimproved land that is utilized for one to four family purposes and where the highest and best use is for one to four family purposes. It does not include the appraisal of subdivisions wherein a development analysis or appraisal is necessary and utilized.

(c) The residential classification may also apply to the appraisal of any other property permitted by the regulations of the applicable federal financial institutions regulatory agency, other agency or regulatory body.

(d) All certified residential appraisers are bound by the competency provision of the uniform standards of professional appraisal practice. (Authorized by and implementing K.S.A. 1991 Supp. 58-4109; effective, T-117-6-10-91, June 10, 1991; effective Aug. 5, 1991; amended May 24, 1993.)

**117-5-1. Provisional classification; education and examination requirements.**

In order to be eligible for the provisional classification, each applicant shall complete the education and testing requirements listed in K.A.R. 117-2-1 and 117-2-3, K.A.R. 117-4-1 and 117-4-3, or K.A.R. 117-3-1 and 117-3-3. (Authorized by and implementing K.S.A. 58-4109; effective Aug. 15, 1994; amended April 24, 1998.)

**117-5-2. Provisional classification; supervised experience requirements.**

- (a) Each provisional licensed appraiser's work in developing, preparing, or communicating an appraisal report shall be directly supervised by a supervising appraiser, who shall be either a state licensed or certified appraiser in good standing.
- (b) For the purpose of this regulation, "good standing" shall mean that all of the following conditions are met:
  - (1) The certified or licensed appraiser is not currently subject to a board-approved consent agreement and order that prohibits supervision.
  - (2) The certified or licensed appraiser is not subject to a summary order or final order that includes terms that prohibit supervision.
  - (3) The appraiser's certificate or license is not suspended or revoked.
- (c) Each appraisal report shall be signed by the provisional licensed appraiser or by the preparer of the report who supervised the provisional licensed appraiser, certifying that the report is in compliance with the uniform standards of professional appraisal practice of the appraisal foundation in effect at the time of the appraisal.
- (d) If the provisional appraiser does not sign the appraisal report, the preparer shall describe, in the certification section or in the dated and signed addendum to the certification page of the appraisal report, the extent to which the provisional licensed appraiser provided assistance in developing, preparing, or communicating the appraisal through generally accepted appraisal methods and techniques.
- (e) Each supervising appraiser shall be responsible for the supervision of the provisional appraiser by performing the following:
  - (1) Reviewing, before the signing of the certification section or addendum, each appraisal report that the provisional licensed appraiser prepared or provided assistance in developing, preparing, or communicating; and
  - (2) personally inspecting each appraised property with the provisional licensed appraiser until the supervising appraiser determines that the provisional licensed appraiser is competent, in accordance with the competency provision of the uniform standards of professional appraisal practice (USPAP), as specified in K.A.R. 117-8-1, for the property type.
- (f) Each provisional licensed appraiser shall be permitted to have more than one supervising appraiser.
- (g) Each provisional licensed appraiser shall maintain an appraisal log. This log shall, at a minimum, include the following for each appraisal report:
  - (1) the type of property;
  - (2) the client's name and address;
  - (3) the address of the appraised property;
  - (4) a description of work performed;
  - (5) the number of work hours; and
  - (6) the state license or certification number and the signature of the supervising appraiser, which shall serve as verification of the accuracy of the information specified in this subsection.
- (h) Each provisional licensee shall maintain a log of appraisals completed with each separate supervising appraiser.
- (i) After one year as a provisional licensed appraiser, the individual shall be required to meet the continuing education requirements for licensed or certified appraisers, as set

forth in K.A.R. 117-6-1. In order to be licensed as a real property appraiser, certified as a general real property appraiser, or certified as a residential real property appraiser, the provisional licensed appraiser shall complete the experience requirements listed in K.A.R. 117-2-2, K.A.R. 117-3-2, or K.A.R. 117-4-2, within five years of being issued the provisional license. (Authorized by and implementing K.S.A. 58-4109; effective April 24, 1998; amended Dec. 5, 2003.)

**117-5-3. Provisional classification; scope of practice.**

The provisional licensed classification shall apply to the appraisal of the properties that the supervising appraiser is permitted to appraise. (Authorized by and implementing K.S.A. 58-4109; effective April 24, 1998.)

**117-6-1. Continuing education; renewal requirements.**

(a)(1) The continuing education requirement for renewal of a license or certificate for the provisional, licensed, residential, and general classifications shall be the equivalent of 14 classroom hours of instruction. A two-year total of 28 hours of continuing education hours may be averaged over each two-year period as defined in paragraph (a)(2) and as provided in paragraphs (a)(3) and (a)(4) below. Each course for which credit is requested shall have received approval of the board or approval by the appraisal licensing agency of the state in which the course was held for renewal of the applicable classification before the completion of the course.

(2) For persons certified or licensed before July 1, 2003, the two-year period shall begin on July 1, 2003 and shall continue biennially thereafter. For persons certified or licensed on and after July 1, 2003, the first two-year period shall end on June 30, 2005 and shall continue biennially thereafter.

(3) For persons certified or licensed before July 1, 2003, within two years after July 1, 2003 and within every subsequent two-year period, each certified or licensed appraiser shall attend a seven-classroom-hour national uniform standards of professional appraisal practice update course, or its equivalent.

(4) For persons certified or licensed on and after July 1, 2003, within the two-year period ending June 30, 2005 and every subsequent two-year period, each certified or licensed appraiser shall attend a seven-classroom-hour national uniform standards of professional appraisal practice update course, or its equivalent.

(b) An appraiser shall not receive continuing education credit for a course for which the appraiser received credit toward the original classroom hour requirement specified in K.A.R. 117-2-1, 117-3-1, or 117-4-1, except for the course on the uniform standards of professional appraisal practice and updates of the course. However, if a licensed or certified appraiser receives credit for a course to apply toward a higher classification, the appraiser may also receive continuing education credit for the course if it is approved by the board or by the appraisal licensing agency of the state in which the course was held for continuing education credit.

(c)(1) Continuing education credit may also be granted for participation, other than as a student, in appraisal educational processes and programs. Activities for which credit may be granted shall include any of the following:

- (A) Teaching;
- (B) program development;
- (C) authorship of textbooks; or
- (D) similar activities that are determined by the board to be equivalent to obtaining continuing education.

(2) Each appraiser seeking credit for attendance at or participation in an educational activity that was not previously accredited shall submit to the board a request for credit, which shall include the following information:

- (A) A description of the activity;
- (B) the date or dates of the activity;
- (C) the subject or subjects covered;
- (D) the name of each instructor and the instructor's qualifications;
- (E) the number of credit hours requested, which shall not exceed the required minimum of 14 hours per renewal; and

(F) any other information required by the board.

Within 30 days after receipt of this request, the appraiser shall be advised by the board in writing whether credit is granted and what amount of continuing education credit will be allowed. Either the sponsor or appraiser shall submit a separate request for approval of each continuing education activity.

(3) Board members who actively serve on the board may receive 14 hours of appraisal continuing education on an annual basis.

(d) It shall be the appraiser's responsibility to keep track of that individual's continuing education credit. At the time of renewal of a license or certificate, the appraiser shall provide verification of completion of continuing education by affidavit to the board.

(1) The affidavit shall contain a statement of continuing education courses completed by the appraiser.

(2) The appraiser shall list all courses completed on the affidavit.

(3) The appraiser shall retain all course completion certificates for five years and shall make the certificates available to the board for review upon request.

(e) If any appraiser requests credit according to subsection (c) of this regulation, the appraiser shall submit a detailed description of the activities with the application for renewal on a form obtained from the board.

(f) A nonresident of Kansas may receive credit for courses approved by the state of residence by submitting certificates of completion and evidence that each course for which credit is requested was approved by the state of residence. Evidence of renewal of an equivalent license or certificate by a nonresident's state of residence may be recognized by the board as meeting the education requirement for renewal of the nonresident's Kansas license or certificate. (Authorized by K.S.A. 58-4105(a) and K.S.A. 58-4109; implementing K.S.A. 58-4109, K.S.A. 2001 Supp. 58-4112, and K.S.A. 58-4117; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended May 24, 1993; amended July 25, 1994; amended Feb. 6, 1995; amended Jan. 9, 1998; amended July 16, 1999; amended May 17, 2002; amended May 23, 2003.)

**117-6-2. Continuing education; approval of courses; requirements.**

(a) Each continuing education course approved by the board shall ensure that each appraiser participates in a program that maintains and increases the appraiser's skill, knowledge, and competency in real estate appraising.

(b) Courses approved by the board for renewal of a license or certificate shall cover real estate-related appraisal topics that may include the following:

- (1) Ad valorem taxation;
- (2) arbitration;
- (3) business courses related to the practice of real estate appraisal;
- (4) construction estimating;
- (5) ethics and standards of professional practice;
- (6) land use planning, zoning, and taxation;
- (7) management, leasing, brokerage, and time-sharing;
- (8) property development;
- (9) real estate appraisal, including valuations and evaluations;
- (10) real estate law;
- (11) real estate litigation;
- (12) real estate financing and investment;
- (13) real estate appraisal-related computer applications;
- (14) real estate securities and syndication; and
- (15) real property exchange.

(c) The length of each course approved for continuing education credit shall be at least two classroom hours.

(d) Any correspondence course may be approved for continuing education credit if the course has received approval for college credit from the American council on education's program on non-collegiate sponsored instruction or if both of the following conditions are met:

- (1) The course is presented by an accredited college or university that offers correspondence programs in other disciplines.
- (2) The appraiser successfully completes a written examination administered by an official approved by the college or university.

(e) Video and remote television presentations may be approved by the board if either of the following conditions is met:

(1) The presentation is a minimum of two classroom hours, is for an organized group in an instructional setting, and includes a qualified resource person available to answer questions, provide information, and monitor student attendance.

(2) (A)(i) The course is presented by a college or university accredited by the commission on colleges or a regional accreditation association that offers similar programs in other disciplines;

(ii) the course has received approval for college credit by the American council on education through the ACE credit program; or

(iii) the course has received approval of the international distance education certification center (IDECC) for the course design and delivery mechanism;

(B) the course has the approval of the licensing or certifying jurisdiction where the course is being offered; and

(C) the appraiser successfully completes a written examination administered by an official approved by the approved provider.

(f) To receive credit for a course, each applicant shall attend all classroom hours, even when the number of credit hours for which a course is approved is less than the total number of hours of the course presentation.

(g) The only course students or instructors may receive credit for attending or instructing any subsequent offering of the same course for one year after attending or teaching the course shall be any update of the ethics and standards of professional practice course.

(Authorized by K.S.A. 58-4105; implementing K.S.A. 58-4109, K.S.A. 2001 Supp. 58-4112, and K.S.A. 58-4117; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended May 24, 1993; amended Feb. 6, 1995; amended May 23, 2003.)

**117-6-3. Education; obtaining course approval.** (a) To request board approval of a course to meet any education requirement of the act or portion of it, for each course the sponsor shall perform the following:

(1) Appoint a coordinator, who shall monitor the course and ensure compliance with the appropriate statutes and regulations;

(2) submit all information, materials, and fees required by the board for course approval at least 30 days before the first scheduled class session, including the following:

(A) A completed application for course registration on a form prescribed by the board;

(B) the procedure for maintaining attendance records;

(C) the proposed dates and times of the course offering;

(D) the total amount of the attendance fee;

(E) the total number of class sessions and the length of time per session;

(F) the total number of hours in the course and the number of credit hours requested;

(G) if approval of the course is requested according to K.A.R. 117-2-1, 117-3-1, or 117-4-1, the amount of time allotted for the required examination;

(H) a course syllabus, including a detailed course outline and course objectives;

(I) an instructor resume, demonstrating that the instructor meets the qualifications in relation to knowledge of the subject matter and ability to teach;

(J) the methods of instruction or teaching techniques to be used in the course;

(K) a copy of any textbook or manual that will be used;

(L) a copy of all handout materials that will be used; and

(M) the course approval fee prescribed by K.A.R. 117-7-1.

(b) For continuing education purposes, each instructor shall demonstrate knowledge of the subject matter as indicated by either of the following:

(1) A college degree in an academic area related to the course; or

(2) at least three years of experience in a subject area directly related to the course.

(c) For prelicensing education or qualifying education purposes, according to K.A.R. 117-2-1, 117-3-1, and 117-4-1, each instructor shall demonstrate knowledge of the subject matter as indicated by any of the following:

(1) A current appraiser's license or certification pursuant to K.S.A. 58-4109(a)(1), (2), or (3), and amendments thereto;

(2) a current appraiser's license or certification issued by another state;

(3) a college degree in an academic area related to the course; or

(4) (A) Evidence of completion of all the required courses specified in K.A.R. 117-2-1, 117-3-1, or 117-4-1 within the past five years; and

(B) an appraisal log sheet that shows the equivalent of two years of appraisal experience within the past five calendar years in the subject area related to the course. One thousand hours shall constitute one year of appraisal experience.

(d) For purposes of continuing education or prelicensing education on the "uniform standards of professional appraisal practice," the only courses that will be accepted by the board for either prelicensing or continuing education shall be the "national uniform standards of professional appraisal practice" and "national uniform

standards of professional appraisal practice update” courses that meet any of the following conditions:

- (1) Have been developed by the appraisal foundation;
- (2) have been approved by the board as being equivalent to these courses; or
- (3) have been approved by the appraisal foundation as being equivalent to these courses, if the requirements of subsections (a), (b), and (c) have been met.

Each instructor shall be certified by the appraiser qualifications board.

(e) For prelicensing education or qualifying education purposes, according to K.A.R. 117-2-1, 117-3-1, and 117-4-1, the ability to teach effectively shall be demonstrated by one of the following:

- (1) Within the preceding two years, completing a board-approved program for instructors that is designed to develop the ability to communicate;
  - (2) holding a current teaching certificate issued by any state department of education or an equivalent agency;
  - (3) holding a four-year undergraduate degree in education; or
  - (4) having experience teaching in schools, seminars, or in an equivalent setting.
- (f) Each instructor shall perform the following:

- (1) Comply with all laws and regulations pertaining to appraiser continuing education;
- (2) provide students with the most current and accurate information;
- (3) maintain an atmosphere conducive to learning in a classroom; and
- (4) provide assistance to the students and respond to questions relating to course material.

(g) Course approvals shall expire on December 31 of each year. By November 1 a notification that includes the necessary forms shall be sent by the board, informing each sponsor that an application for renewal is necessary. The course renewal applications and necessary forms shall be received by the board before April 1, or the course approvals shall not be renewed. After notice and opportunity for a hearing, course approval or renewal of a course approval may be denied or revoked by the board under either of the following conditions:

(1) The course sponsor procured or attempted to procure course approval by knowingly making a false statement, submitting false information, or refusing to provide complete information in response to a question in an application for course approval or renewal of course approval.

(2) The course sponsor engages in any form of fraud or misrepresentation.

(h) The sponsor shall not advertise a course as approved unless written approval has been granted by the board.

(i) The sponsor shall conduct each course in a classroom or other facility that is adequate to comfortably accommodate the number of students enrolled.

(j) Each sponsor shall maintain, for at least five years, accurate records relating to course offerings, instructors, and student attendance. If a sponsor ceases operations, the coordinator appointed under paragraph (a)(1) shall be responsible for maintaining the records or providing a custodian acceptable to the board.

(k) Each sponsor shall provide each student with a certificate of completion within seven days of the date on which the student completes the course. The sponsor may require payment of course tuition as a condition for completing the course. (Authorized

by and implementing K.S.A. 58-4105; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended May 3, 1996; amended Jan. 9, 1998; amended Nov. 30, 1998; amended April 21, 2000; amended June 15, 2001; amended May 23, 2003; amended Feb. 4, 2005.)

**117-6-4. Education; denial or revocation of course approval.**

(a) After notice and opportunity for a hearing, approval of a course that is offered to meet the prelicensing requirements may be denied or revoked by the board if the course does not fulfill the requirements listed in K.A.R. 117-2-1, K.A.R. 117-3-1, or K.A.R. 117-4-1.

(b) After notice and opportunity for a hearing, approval or renewal of a course that is offered to meet the continuing education requirements may be denied or revoked by the board if the course does not fulfill the requirements listed in K.A.R. 117-6-2 and K.A.R. 117-6-3. (Authorized by K.S.A. 58-4105(a); implementing K.S.A. 58-4109, K.S.A. 1999 Supp. 58-4112, and K.S.A. 58-4117; effective June 15, 2001.)

**117-7-1. Fees.** The following fees shall be submitted to the board. (a) For application for certification or licensure, the fee shall be \$50.

(b) For original certification or licensure, the fee shall be \$250.

(c) For renewal of a certificate or license, the fee shall be \$225.

(d) For late renewal of a certificate or license, the fee shall be the amount specified in subsection (c) and an additional \$50.

(e) Except as provided in subsection (h) of this regulation, for approval of a course of instruction to meet any portion of the education requirements of K.A.R. 117-2-1, 117-3-1, or 117-4-1, the fee shall be \$100.

(f) Except as provided in subsection (h) of this regulation, for approval of a course of instruction to meet the continuing education requirements of K.A.R. 117-6-1, the fee shall be \$50.

(g) Except as provided in subsection (h) of this regulation, for renewal of any course of instruction, the fee shall be \$25.

(h) For approval or renewal of any course of instruction that is endorsed by the appraiser qualifications board, the fee shall be \$10. (Authorized by and implementing K.S.A. 2003 Supp. 58-4107; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended, T-117-4-22-92, April 22, 1992; amended June 22, 1992; amended Feb. 6, 1995; amended Jan. 28, 2000; amended June 15, 2001; amended Feb. 4, 2005.)

**117-8-1. Uniform standards of professional appraisal practice.** The 2005 edition of the “uniform standards of professional appraisal practice and advisory opinions,” as promulgated by the appraisal standards board of the appraisal foundation, effective January 1, 2005, is hereby adopted by reference, with the following exceptions:

(a) Standards 6, 7, 8, 9, and 10; and

(b) the advisory opinions, which are on pages 123 through 228. (Authorized by K.S.A. 58-4105; implementing K.S.A. 58-4105 and K.S.A. 58-4121; effective, T-117-6-10-91, June 10, 1991; effective Aug. 5, 1991; amended May 24, 1993; amended Feb. 6, 1995; amended May 3, 1996; amended Jan. 9, 1998; amended, T-117-3-6-98, March 6, 1998; amended Aug. 14, 1998; amended July 16, 1999; amended April 21, 2000; amended July 6, 2001; amended May 17, 2002; amended May 23, 2003; amended April 2, 2004; amended Feb. 4, 2005.)

**117-8-2. Confidentiality provisions.**

An appraiser shall not be considered to violate the provision of the uniform standards of professional appraisal practice that requires an appraiser to protect the confidential nature of the appraiser-client relationship, if the appraiser discloses confidential factual data obtained from a client or the results of an assignment prepared for the client to any of the following:

- (a) The client and persons specifically authorized by the client;
- (b) any third parties that may be authorized by due process of law;
- (c) a duly authorized professional peer review committee; or
- (d) the board in relation to a complaint made against another appraiser. (Authorized by and implementing K.S.A. 58-4105; effective Nov. 30, 1998.)

**117-9-1. Temporary practice.**

(a) Any appraiser from another state who is licensed or certified by the appraiser licensing or certifying agency in that or any other state may register to receive temporary licensing or certification privileges in this state, if the appraiser is in good standing with each agency, by performing the following:

(1) Paying a \$50 fee; and

(2) filing with the board a registration form obtained from the board.

(b) For the purpose of this regulation, "good standing" shall mean that all of the following conditions are met:

(1) The certified or licensed appraiser is not subject to a disciplinary action.

(2) The certified or licensed appraiser is not subject to a summary order or final order.

(3) The appraiser's license or certificate is not suspended or revoked.

(c) Within five days of receipt of the fee and a properly completed registration form, written notification of acceptance of the registration shall be mailed to the appraiser by the board. (Authorized by K.S.A. 58-4105; implementing K.S.A. 58-4103(b) and K.S.A. 2002 Supp. 58-4107(c); effective, T-117-6-10-91, June 10, 1991; effective Aug. 5, 1991; amended Jan. 28, 2000; amended Feb. 20, 2004.)